

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

GERRY WOOD AUTOMOTIVE, LLC )  
EMPLOYEE BENEFITS PLAN and )  
GERRY WOOD AUTOMOTIVE, LLC, )  
*individually and on behalf of all those* )  
*similarly situated,* ) NO. 3:21-cv-00441  
Plaintiffs, ) JUDGE RICHARDSON  
 )  
v. )  
TEAM HEALTH HOLDINGS, INC. and )  
AMERITEAM SERVICES, L.L.C., )  
Defendants. )

**ORDER**

Plaintiffs have filed a Notice of Voluntary Dismissal. (Doc. No. 24). The Notice was filed prior to the Defendants filing an answer or motion for summary judgment. Under Fed. R. Civ. P. 41(a)(1)(A)(i), therefore, the Notice sufficed to dismiss this action without any action on the part of the Court. The Notice states that dismissal is without prejudice, and therefore under Rule 41(a)(1)(B), the dismissal is without prejudice. Accordingly, the Court acknowledges that this action has been **DISMISSED WITHOUT PREJUDICE** effective as of the time of the filing of the Notice, and the Clerk is directed to close the file. As a result, the pending Motion to Dismiss (Doc. No. 17) is **DENIED** as **MOOT**.

IT IS SO ORDERED.

  
ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE